

CLASS B RECYCLING LIMITED APPROVAL CHECKLIST

Subchapter 2 Annual fees for a general or limited approval to operate a recycling center for Class B recyclable material.

7:26A-2.1 Fees for general or limited approval

- (a) The following apply to the application fee for general approval:
- 2. All applicants for a limited approval to operate a recycling center for Class B recyclable material shall submit an application fee of \$2,000 at the time of application.

FOR REFERENCE ONLY

- (b) The following apply to the monthly fee for limited approval:
- 1. All persons who possess a limited approval to operate a recycling center for Class B recyclable material shall submit a fee of \$250 per month for each month of operation authorized by the limited approval. The fee for the total number of months of authorized operation is due 15 days from the date of issuance of the limited approval.

7:26A-2.3 Payment of fees

- (a) Payment of all fees shall be made by check or money order, payable to "Treasurer, State of New Jersey" and shall be submitted to:

New Jersey Department of Environmental Protection
Bureau of Revenue
CN 420
Trenton, NJ 08625-0420

SUBCHAPTER 3 Approval of Recycling Centers for Class B Recyclable Materials

7:26A-3.1 General requirements applicable to all recycling centers which receive, store, process or transfer Class B recyclable material

- (a) No recycling center shall receive, store, process or transfer any Class B recyclable material without the prior written approval of the Department. The procedures for obtaining approval are set forth at N.J.A.C. 7:26A-3.2, 3.4, 3.5, and 3.8. All persons issued a general approval to operate a recycling center for Class B recyclable material pursuant to this subchapter shall comply with all conditions of the approval.

7:26A-3.7 Application procedure for limited approval to operate a recycling center for the receipt, storage, processing or transfer of Class B recyclable material

- (a) A person may operate a recycling center for the receipt, storage, processing or transferring of Class B recyclable materials for a period of time not to exceed 180 days provided that prior approval of the Department has been obtained and a fee has been submitted in accordance with N.J.A.C. 7:26A-2 to the Department.

The following information shall be submitted to the Department in order to obtain limited approval:

1. The information required pursuant to N.J.A.C. 7:26A-3.2(a)1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 16(i), & (b)1 & 2.
2. A written schedule for completion of the recycling operation; and
3. Written evidence that the municipal planning board or board of adjustment has been notified of the submission of the application for the proposed recycling operation and directed to provide any comments on the application to the Department at the address specified in N.J.A.C. 7:26A-3.7(1).

7:26A-3.2 Application procedure for general approval to operate a recycling center for the receipt, storage, processing, or transfer of Class B recyclable material

- (a) Prior to the receipt, storage, processing or transfer of any Class B recyclable materials at a recycling center, the owner or operator of the recycling center shall submit to the Department the information set forth in this subsection. All maps of the proposed recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1E, Appendix C. The applicant shall submit a minimum of three complete sets of the application.
- 1. The name, address and telephone number of the person or persons seeking to own and operate the proposed recycling center, and the address of the recycling center if different from the above;

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- (a) Prior to the receipt, storage, processing or transfer of any Class B recyclable materials at a recycling center, the owner or operator of the recycling center shall submit to the Department the information set forth in this subsection. All maps of the proposed recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1E, Appendix C. The applicant shall submit a minimum of three complete sets of the application.
- 2. A description of the geographical location of the recycling center identified by the name of the municipality in which the recycling center is located, by a tax map showing the lot and block numbers of the recycling center site and of all adjoining properties, and by a zoning map showing the current land use of the recycling center site and of all adjoining properties;

7:26A-3.2 Application procedure for general approval to operate a recycling center for the receipt, storage, processing, or transfer of Class B recyclable material.

- (a) Prior to the receipt, storage, processing or transfer of any Class B recyclable materials at a recycling center, the owner or operator of the recycling center shall submit to the Department the information set forth in this subsection. All maps of the proposed recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1E, Appendix C. The applicant shall submit a minimum of three complete sets of the application.
3. A listing, by name, address and telephone number, of all persons owning five percent or more of corporation stock in the recycling center, or a listing of the general or limited partners where applicable. In the case where no persons own five percent or more of corporation stock in the recycling center, the names of the corporation principals shall be listed. The owner or operator of the recycling center shall list any intra-corporate relationships between the recycling center and any solid waste hauler or disposal operation registered with the Department;

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- (a) Prior to the receipt, storage, processing or transfer of any Class B recyclable materials at a recycling center the owner or operator of the recycling center shall submit to the Department the information set forth in this subsection. All maps of the proposed recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1E, Appendix C. The applicant shall submit a minimum of three complete sets of the application.
- 4. A listing of the material or materials, including the types of any reasonably anticipated contaminants, to be received, stored, processed or transferred at the recycling center;

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- (a) Prior to the receipt, storage, processing or transfer of any Class B recyclable materials at a recycling center, the owner or operator of the recycling center shall submit to the Department the information set forth in this subsection. All maps of the proposed recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1E, Appendix C. The applicant shall submit a minimum of three complete sets of the application.
- 5. The maximum amount of each material, including contaminants, to be received, stored, processed or transferred at the recycling center per day, expressed in tons, cubic yards, cubic feet or gallons per day. Those persons specifying this information in cubic yards per day shall also indicate the conversion ratio of the materials from cubic yards to tons;

7:26A-3.2 Application procedure for general approval to operate a recycling center for the receipt, storage, processing, or transfer of Class B recyclable material

- (a) Prior to the receipt, storage, processing or transfer of any Class B recyclable materials at a recycling center, the owner or operator of the recycling center shall submit to the Department the information set forth in this subsection. All maps of the proposed recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1E, Appendix C. The applicant shall submit a minimum of three complete sets of the application.
- 6. A listing of all products and residue resulting from the proposed recycling activities, and the amount of such products and residue expressed in tons, cubic yards, cubic feet or gallons per day. Those persons specifying this information in cubic yards per day shall also indicate the conversion ratio of the material from cubic yards to tons;

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- (a) Prior to the receipt, storage, processing or transfer of any Class B recyclable materials at a recycling center, the owner or operator of the recycling center shall submit to the Department the information set forth in this subsection. All maps of the proposed recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1E, Appendix C. The applicant shall submit a minimum of three complete sets of the application.
- 7. The name, address and telephone number of planned end-markets for the materials received, stored, processed or transferred by the recycling center.
 - i. End-market contracts or agreements shall be submitted as evidence of the applicant's ability to sell the products resulting from the proposed activities of the recycling center;
 - ii. Where end-market contracts or agreements are not available at the time of application for a general approval to operate a recycling center, the applicant shall submit letters of interest from prospective end-market users of the products resulting from the applicant's recycling operation. Letters of interest may be based on information provided by the applicant to prospective end-markets such as a description of the equipment to be used at the recycling center and the specifications of the products resulting from recycling center operation;

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- (a) Prior to the receipt, storage, processing or transfer of any Class B recyclable materials at a recycling center, the owner or operator of the recycling center shall submit to the Department the information set forth in this subsection. All maps of the proposed recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1E, Appendix C. The applicant shall submit a minimum of three complete sets of the application.
- 8. A description, including manufacturer's specification sheets, of all equipment to be utilized for the receipt, storage, processing or transferring of each Class B recyclable material received, stored, processed or transferred, including the name of the equipment manufacturer, model number and operating capacity of the equipment.

Also, a written statement by the applicant that no Class B recyclable material will be received, stored, processed, or transferred at the recycling center until the equipment identified by the applicant is installed or situated at the recycling center site;

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9. A site plan map which identifies (plots) the placement of all equipment, buildings, activities and areas related to the receipt, storage, processing and transferring of all unprocessed and processed recyclable materials. This site plan shall also:

- i. Indicate the routing of vehicles between the recycling center and all nearby roadways serving the site, as well as the traffic flow within the site, and indicate the provisions incorporated into the site plan to ensure safe efficient vehicular and pedestrian circulation, parking, loading and unloading;

- ii. Identify the direction of water runoff both on and off-site

and the screening and landscaping provisions which may be incorporated at the site;

- iii. Indicate the location and dimensions, in feet, of the unprocessed and processed materials stockpile areas.

Also, based on this information, the total cubic yard storage capacity of the unprocessed and processed materials stockpile areas shall be indicated. The applicant shall also indicate whether the applicant wishes to reserve the right to use unprocessed material stockpile space as processed material stockpile space in certain instances; and

- iv. Indicate the site access controls to be employed at the recycling center;

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- (a) Prior to the receipt, storage, processing or transfer of any Class B recyclable materials at a recycling center, the owner or operator of the recycling center shall submit to the Department the information set forth in this subsection. All maps of the proposed recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1E, Appendix C. The applicant shall submit a minimum of three complete sets of the application.
- 11. A copy of the deed of record establishing ownership of the recycling center property or, if the applicant is other than the landowner, a legal agreement (for example, a legal lease agreement) to use the real property in question for the intended purpose;

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- (a) Prior to the receipt, storage, processing or transfer of any Class B recyclable materials at a recycling center, the owner or operator of the recycling center shall submit to the Department the information set forth in this subsection. All maps of the proposed recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1E, Appendix C. The applicant shall submit a minimum of three complete sets of the application.
- 12. A description of the design capacity of the recycling center setting forth the number and types of vehicles bringing material to the recycling center for receipt, storage or processing, and the number and types of vehicles transferring products and residue from the site on a daily basis;

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- (a) Prior to the receipt, storage, processing or transfer of any Class B recyclable materials at a recycling center, the owner or operator of the recycling center shall submit to the Department the information set forth in this subsection. All maps of the proposed recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1E, Appendix C. The applicant shall submit a minimum of three complete sets of the application.
- 13. A copy of a New Jersey air pollution control permit application required pursuant to N.J.A.C. 7:27-8.2(a)1 where applicable;

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- (a) Prior to the receipt, storage, processing or transfer of any Class B recyclable materials at a recycling center, the owner or operator of the recycling center shall submit to the Department the information set forth in this subsection. All maps of the proposed recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1E, Appendix C. The applicant shall submit a minimum of three complete sets of the application.
- 14. A written narrative explanation of the recycling center operation from the receipt of recyclable materials to the point of transfer of end-products;

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- (a) Prior to the receipt, storage, processing or transfer of any Class B recyclable materials at a recycling center, the owner or operator of the recycling center shall submit to the Department the information set forth in this subsection. All maps of the proposed recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1E, Appendix C. The applicant shall submit a minimum of three complete sets of the application.
- 16. An operations plan which shall include, at a minimum, the following:
 - i. Hours of operation of the recycling center;

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(b) The information required pursuant to (a) above shall be accompanied by the written certification in (b)1 below.

1. "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I understand that, in addition to criminal penalties, I may be liable for a civil administrative penalty pursuant to N.J.A.C. 7:26-5 and that submitting false information may be grounds for denial, revocation or termination of any solid waste facility permit or vehicle registration for which I may be seeking approval or now hold."

2. The certification in (b)1 above shall be signed by the applicant as follows:

- i. For a corporation, by a principal executive officer of at least the level of vice president;
- ii. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
- iii. For a municipality, county, State, Federal or other public agency, by either a principal executive officer or ranking elected official.

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- (a) 2. A written schedule for completion of the recycling operation; and

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- (a) 3. Written evidence that the municipal planning board or board of adjustment has been notified of the submission of the application for the proposed recycling operation and directed to provide any comments on the application to the Department at the address specified in N.J.A.C. 7:26A-3.7(1).

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- (b) Persons applying to the Department for a limited approval to operate a recycling center for Class B recyclable materials shall notify the applicable county solid waste and recycling coordinator of this application.

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- (c) The Department may require the issuance of a performance bond or letter of credit for persons granted a limited approval to operate a recycling center in accordance with the criteria of N.J.A.C. 7:26A-3.4(c).

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- (d) Prior to the issuance of a limited approval to operate a recycling center for Class B recyclable materials, and where the Department determines that additional information is needed to adequately address public or environmental health, safety or welfare, the applicant shall submit the additional information requested by the Department.

- (e) Within 30 days of receipt of an application for limited approval submitted pursuant to (a) above, the Department will determine whether the application is administratively complete. An application is administratively complete where it satisfies the information submission requirements of (a) through (d) above and where a fee has been submitted in accordance with N.J.A.C. 7:26A-2.
 - 1. If an application is deemed administratively complete in accordance with paragraph (e) above, the Department will issue a letter to the applicant indicating administrative completeness of the application.
 - 2. If an application fails to meet the criteria for administrative completeness in accordance with paragraph (e) above, the Department will advise the applicant that the application is incomplete and will specify in writing what additional information is required for administrative completeness.

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(f) Within 30 days of the issuance of the letter of administrative completeness, the Department will issue to the applicant a limited approval to operate a recycling center valid for a specified period of time, not to exceed 180 days, where the Department determines the following:

1. That the application meets the criteria of N.J.A.C. 7:26A-3; and
2. That the application fails to meet any of the criteria for denial or revocation of a limited approval set forth at N.J.A.C. 7:26A-3.11 and 3.12.

OR, ALTERNATIVELY - - -

(g) Within 30 days of the issuance of the letter of administrative completeness, the Department will issue a letter of denial of the application where the Department determines the following:

1. That the application fails to meet the criteria of N.J.A.C. 7:26A-3; and
2. That the application meets any of the criteria for denial or revocation of a limited approval set forth at N.J.A.C. 7:26A-3.11 and 3.12.

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One original and two copies of the information required pursuant to (a) and (j) above shall be submitted to:

New Jersey Department of Environmental Protection
Division of Solid and Hazardous Waste
CN 414
Trenton, NJ 08625-0414

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- (n) All persons who seek limited approval to operate a recycling center for tires, tree stumps, tree parts or wood pursuant to this subchapter must also comply with the requirements at N.J.A.C. 7:26A-3.8.

7:26A-3.8 Tire, tree stump, tree parts or wood waste recycling centers: additional requirements for general approval

- (a) The methods of processing tires that may be approved by the Department are limited to slicing, shredding, chipping, crumbing or other activities as determined by the Department. At no time shall incineration, landfilling, abandonment or other disposal of tires, in whole or in part, occur at the recycling center.
- (b) The owner or operator of a tire recycling center shall take all steps necessary to ensure that no mosquito colony formation or development is allowed to occur on the recycling center site.
- (c) A fire control plan for the recycling center shall be filed with and approved by the local fire official or other person of competent jurisdiction and shall be filed with the local municipal code enforcement officer prior to operation of a recycling center for tires, tree stumps, tree parts or wood waste.